

1  
2  
3  
4  
5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 DAVID RAY SANCHEZ,

9 Petitioner,

10 v.

11 SCOTT FRAKES,

12 Respondent.

CASE NO. C11-5888BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATIONS

13 This matter comes before the Court on the Report and Recommendations  
14 (“R&Rs”) of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkts. 16  
15 & 21. The Court having considered the R&Rs and the remaining record, and no  
16 objections having been filed, does hereby find and **ORDER** as follows:

- 17 (1) The R&Rs are **ADOPTED**;
- 18 (2) Petitioner’s motion for injunctive relief is **DENIED**;
- 19 (3) The petition for writ of habeas corpus brought under 28 U.S.C. § 2254 is  
20 **DISMISSED as time barred**; and  
21  
22

1 (4) Petitioner is not entitled to a Certificate of Appealability.

2 Dated this 28th day of March, 2012.

3  
4 

5 BENJAMIN H. SETTLE  
6 United States District Judge  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22